

Notice of Allowability	Application N .	Applicant(s)	
	09/339,059	LEWIS, MORRIS E.	
	Examiner	Art Unit	
	Nicholas D. Rosen	3625	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the amendment of May 9, 2006.
2. ☒ The allowed claim(s) is/are 70-100.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____ | 7. <input type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input checked="" type="checkbox"/> Other <u>See Continuation Sheet</u> . |

Nicholas D. Rosen
NICHOLAS D. ROSEN
 PRIMARY EXAMINER

Continuation of Attachment(s) 9. Other: Info sheet for pro se applicants.

DETAILED ACTION

Claims 70-100 have been examined.

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mr. Morris Lewis (pro se applicant) on July 4, 2006.

The application has been amended as follows:

In the specification: On the first page of the amended specification, "Application Number: 098/339,059" is hereby corrected to "**Application Number: 09/339,059**".

Under "Field of Invention", "60/3033,532" is hereby corrected to "**60/133,532**".

On the third page of the amended specification, the word "sthece" in the first and third lines is hereby corrected to "**source**". In the twelfth line, "305 percent" is hereby corrected to "**35 percent**". In the fifteenth line, "\$305,000" is hereby corrected to "**\$35,000**".

The claims are hereby amended to read as follows:

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70. A system for purchasing merchandise, while real-time interactively direct ordering or reordering by a plurality of purchasers, who are purchasing individually or purchasing as members of an organization that is facilitating purchasing in quantity, and arranging rebates or group purchase rebates paid into retirement accounts, the system comprising:

(a) one or more purchasing cards, said purchasing cards identifying buyers, and identifying financial institutions, and one or more card readers;

(b) at least one buyer Purchase Appliance or buyer on-site computer system comprising one or more servers, one or more recording system modules, one or more alarm modules, one or more metering modules, one or more microprocessors, one or more universal barcode ROM microprocessor systems modules, one or more control/relay modules, one or more microprocessor buses, one or more computer/server buses, one or more control/relay buses, one or more power buses, and one or more auxiliary batteries;

(c) one or more purchasing agent ordering sub-systems;

(d) one or more communication means by which said at least one buyer Purchase Appliance or on-site computer communicates with one or more seller Purchase Appliances;

(e) at least one seller Purchase Appliance or seller on-site computer system in communication with at least sensor, said seller Purchase Appliance or seller on-site computer system comprising one or more cameras, said seller Purchase Appliance or seller on-site computer further comprising means for receiving signals for the purchase

of goods or services, said signals being received from at least one remote ordering sub-system;

(f) at least one Purchase hub computer comprising at least one database module or at least one relational database module or at least one look-up module;

(g) said at least one seller Purchase Appliance or seller on-site computer system being in communication with at least one remote product demonstration sub-system, or one or more seller showrooms, or one or more seller tradeshow booths; and

(h) said at least one remote product demonstration sub-system, seller showroom, or seller tradeshow booths containing or communicating with at least one merchandise display sub-system which allows real-time interactive remote viewing of physical merchandise, enabling at least one buyer to communicate with said at least one remote product demonstration sub-system, or one or more seller showrooms, or one or more seller tradeshow booths via said at least one seller Purchase Appliance or seller on-site computer, to view physical merchandise, enhancing said buyer's view of said physical merchandise by using said at least one seller Purchase Appliance or on-site computer to interactively move said physical merchandise; and

(i) said at least one merchandise display sub-system comprising at least one of a motorized revolving hanger rack or a motorized revolving platform, said physical merchandise being suspended from the motorized hanger rack or being located upon said motorized revolving platform, and said at least one merchandise display sub-system enabling the buyer to move said physical merchandise by remotely controlling said at least one of a motorized revolving hanger rack or a motorized revolving platform;

(j) whereby the one or more purchasing cards identifying buyers are credit, debit, or other funds transfer cards, by which funds are transferred from buyers' credit or debit accounts to sellers' accounts in payment for goods or services bought by buyers, and whereby a portion of said funds transferred from a buyer's credit or debit account when a purchase is made by that buyer are transferred to a second account of said buyer, said second account being an account for the benefit of said buyer in retirement.

71. The system of claim 70, the system being in communication with one or more financial institutions, comprising: one or more credit unions, one or more seller banks, or one or more purchaser account financial institutions.

72. The system of claim 70, wherein the at least one purchasing agent ordering subsystem comprises at least one means for arranging volume purchasing transactions by buyers, at least one Purchase hub computer, at least one means for arranging volume purchasing transactions by agents known as certified purchasing planners, or at least one certified purchasing planner computer.

73. The system of claim 70, wherein at least one Purchase hub computer is a Volume Purchase Rebate Investing Computer and comprises: at least organization module, at least one membership module, at least one broker module, at least one merchant module, at least one meter consumption module for goods and products, at least one monitoring alarm module for services, at least one control module, at least

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one purchasing module, at least one volume purchasing module, at least one excess inventory purchasing module, at least one excess capacity purchasing module, at least one rebate module, at least one saving account module, and at least one investing account module.

74. The system of claim 70, wherein said at least one buyer can also enhance said buyer's view of said physical merchandise by controlling the position of one or more cameras through which said physical merchandise is viewed.

75. The system of claim 70, wherein the one or more cameras comprised in said seller Purchase Appliance or seller on-site computer comprise at least one of a finger bracket camera, a cap camera, a covert camera, or a camera mounted on a tripod.

76. The system of claim 70, wherein said at least one buyer Purchase Appliance or buyer on-site computer system communicates with said at least one said seller Purchase Appliance which is a seller Volume Purchase Rebate Investing Appliance or seller on-site computer by means of at least one of a direct wire, infrared signal transmission, optical signal transmission, or laser signal transmission.

77. The system of claim 70, wherein said at least one buyer Purchase Appliance or buyer on-site computer system is located in a buyer's home.

78. The system of claim 70, wherein said buyer Purchase Appliance is a buyer Volume Purchase Rebate Appliance, whereby the buyer receives Volume Purchase Rebate Investing information on Volume purchases of merchandise and/or services.

79. The system of claim 70, wherein said second account of said buyer comprises at least one financial investment instrument, and said second account of said buyer comprises at least one IRA account.

80. A system for implementing the individual purchase or volume purchase of merchandise, and for causing rebates to be credited to a retirement account of a buyer, the system comprising:

- (a) at least one real-time interactive show-room containing interactive online video and/or audio capturing, processing, or recording means, merchandise displaying means, camera mounting or transversing means, communications, and purchasing facilitation means;

- (b) at least one merchandise display case whereon merchandise is placed for real-time interactive online viewing of said merchandise;

- (c) said at least one merchandise display case further comprising at least one camera, and means for dial-up real-time interactive viewing;

- (d) means for lighting said at least one merchandise display case;

- (e) means for changing a scene presented to remote viewers of said merchandise;

(f) means for enabling a remote buyer to interactively move said merchandise placed on said display case, enabling said remote buyer to vary or improve said remote buyer's view of said merchandise; and

(g) means for a remote buyer to transfer funds to a seller of said merchandise, in payment for purchase of said merchandise by the remote buyer, or in payment for purchase of other merchandise, or in payment for purchase of services;

(h) wherein a portion of said payment is rebated to an account of said buyer, said account being an account for the benefit of said buyer in retirement.

81. The system of claim 80, wherein said at least one real-time interactive show-room contains a closed circuit television purchasing system or elements thereof, the closed circuit television purchasing system including means for enabling cameras mounted on a track, in a dome, or on a stand, to pan, tilt, or zoom, signals from the cameras being processed or digitally recorded, thereby allowing real-time interactive online viewing of said at least one real-time interactive show-room.

82. The system of claim 80, wherein said at least one merchandise display case comprises track-mounted pan, tilt, or zoom cameras, or lights.

83. The system of claim 80, wherein said at least one real-time interactive show-room further comprises track-mounted pan, tilt, or zoom cameras, glass counters or

show cases, system transmission or reception means, or at least one Purchase Appliance for control purposes, or for dial-up real-time interactive viewing purposes.

84. The system of claim 80, wherein said means for lighting said at least one merchandise display case and/or said means for changing a scene presented to remote viewers of said merchandise, comprise one or more of: track lights, multi-colored backlights, a white back-drop, or a rear view projection system.

85. The system of claim 80, wherein said means for enabling a remote buyer to interactively move said merchandise comprises: motorized rotating product hanger racks or motorized rotating product platforms.

86. The system of claim 80, wherein said buyer Purchase Appliance is a buyer Volume Purchase Rebate Investing Appliance, whereby the buyer receives Volume Purchase Rebate Investing information on Volume purchases of merchandise and/or services.

87. The system of claim 80, wherein said account for the benefit of said buyer in retirement comprises at least one financial investment instrument, and said account for the benefit of said buyer in retirement comprises at least one IRA account.

88. A method for purchasing of goods, products or services, by one or a plurality of buyers, who are purchasing individually or purchasing as members of an organization that is facilitating purchasing in quantity, and arranging rebates or group purchase rebates paid into retirement accounts, the method comprising:

- (a) inputting one or more purchasing cards into at least one card reader;
- (b) operating at least one buyer Purchase Appliance or buyer on-site computer comprising one or more servers, one or more recording system modules, one or more alarm modules, one or more metering modules, one or more microprocessors, one or more universal barcode ROM microprocessor systems modules, one or more control/relay modules, one or more microprocessor buses, one or more computer/server buses, one or more control/relay buses, one or more power buses, and one or more auxiliary batteries;
- (c) operating at least one purchasing agent sub-system;
- (d) said at least one buyer Purchase Appliance or on-site computer communicating with one or more seller Purchase Appliances;
- (e) operating at least one seller Purchase Appliance or on-site computer system in communication with at least one sensor, said seller Purchase Appliance or on-site computer comprising one or more cameras, said seller Purchase Appliance or on-site computer receiving from at least one remote ordering sub-system signals for the purchase of goods or services;
- (f) viewing physical merchandise remotely and interactively by at least one buyer, said buyer using said at least one remote ordering sub-system to communicate with at

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least one remote product demonstration module via said at least one Purchase

Appliance or on-site computer; and

(g) interactively moving, by at least one buyer, said physical merchandise, the moving of said physical merchandise being accomplished by remotely controlling at least one of a motorized revolving hanger rack or a motorized revolving platform, said physical merchandise being suspended from the motorized hanger rack or being located upon said motorized revolving platform;

(h) ordering said physical merchandise, or other physical merchandise, or services, by at least one buyer;

(i) transferring payment for merchandise or services from a first account of a buyer to an account of the seller of said merchandise or services; and

(j) transferring a portion of said payment to a second account of said buyer, said second account being an account for the benefit of said buyer in retirement.

89. The method of claim 88, further comprising processing of said one or more purchasing cards, wherein said processing comprises:

(k) processing smart cards, debit cards, or other payment cards for payment transactions or rebate transactions or investment transactions at a credit union; or

(l) processing smart cards, debit cards, or other payment cards for payment transactions or rebate transactions or investment transactions at a seller's bank; or

(m) processing smart cards, debit cards, or other payment cards for payment transactions or rebate transactions or investment transactions at any other financial institution.

90. The method of claim 88, wherein operating at least one sensor detects or collects product information.

91. The method of claim 88, wherein to effect purchase transactions, members of said purchasing agent sub-system communicate with at least one buyer Purchase Appliance or buyer on-site computer, or at least one seller Purchase Appliance or seller on-site computer, or at least one Purchase hub computer, or at least one agent known as a certified purchasing planner, with at least one certified purchasing planner computer.

92. The method of claim 88, further comprising automatically replenishing a stock of goods or products, wherein automatically replenishing a stock of goods or products comprises at least one seller Purchase Appliance or seller on-site computer communicating with said at least sensor, said at least one seller Purchase Appliance or seller on-site computer receiving signals for the purchase of goods or services, said signals being received from at least one remote ordering subsystem.

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93. The method of claim 88, wherein real-time viewing of merchandise is carried out by said at least one seller Purchase Appliance or seller on-site computer communicating with at least one remote product demonstration module, or at least one seller's subsystem, said least one remote product demonstration module or at least one seller's subsystem being contained in at least one seller showroom, or at least one seller tradeshow booth.

94. The method of claim 88, further comprising said at least one shopper also enhancing said at least one shopper's view of said physical merchandise by controlling the position of one or more cameras through which said physical merchandise is viewed.

95. The method of claim 88, wherein interactive viewing of merchandise comprises a shopper viewing merchandise images obtained by at least one of a finger bracket camera, a cap camera, a covert camera, or a camera mounted on a tripod, said camera of whichever type being in physical proximity to the physical merchandise being viewed.

96. The method of claim 88, wherein said at least one sensor communicates with said at least one said seller Purchase Appliance or seller on-site computer by means of at least one of a direct wire, infrared signal transmission, optical signal transmission, or laser signal transmission.

97. The method of claim 88, wherein said at least one sensor is located or operated in a buyer's home.

98. The method of claim 88, further comprising: remotely operating a closed circuit television purchasing system including operating enabled cameras mounted on a track, in a dome, or on a stand, to pan, tilt, or zoom, signals from the cameras being processed or digitally recorded, thereby allowing real-time interactive online viewing of at least one real-time interactive show-room.

99. The method of claim 88, wherein said buyer Purchase Appliance is a buyer Volume Purchase Rebate Investing Appliance, whereby the method further comprises the buyer receiving Volume Purchase Rebate Investing information on Volume purchases of merchandise and/or services.

100. The system of claim 88, wherein said second account of said buyer comprises at least one financial investment instrument, and said second account of said buyer comprises at least one IRA account.

Allowable Subject Matter

Claims 70-79 are allowed.

Claims 88-100 are allowed.

The following is an examiner's statement of reasons for allowance: The closest prior art of record, Kenney (U.S. Patent 6,026,376), discloses apparatus for real-time interactive online product and services viewing comprising buyer and seller appliances, communications means, merchandise display means, etc. However, Kenney, like most of the prior art, is directed to displaying simulations of merchandise, and/or video images of merchandise made prior to the customer's made prior to the customer's electronic shopping. Kenney does not disclose motorized revolving hanger racks, or motorized revolving platforms, etc., which a buyer can remotely manipulate to get a better view of merchandise. Benman, Jr. (U.S. Patent 5,784,546) does teach live imagery of a trade show, with a camera carried by a robot or remote control device, but without means for interactively moving the merchandise, and similarly with Von Kohorn (U.S. Patent 5,759,101). No prior art of record discloses, teaches, or reasonably suggests a remote merchandise display sub-system to view physical merchandise, including enhancing the buyer's view of physical merchandise by enabling the buyer to move the physical merchandise by remotely controlling at least one of a motorized revolving hanger rack or a motorized revolving platforms.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Claims 80-87 are allowed.

The following is an examiner's statement of reasons for allowance: The closest prior art of record, Kenney (U.S. Patent 6,026,376), discloses apparatus for real-time interactive online product and services viewing comprising buyer and seller appliances, communications means, merchandise display means, etc. However, Kenney, like most of the prior art, is directed to displaying simulations of merchandise, and/or video images of merchandise made prior to the customer's made prior to the customer's electronic shopping. Kenney does not disclose means for enabling a remote buyer to interactively move merchandise placed in a display case, enabling the remote buyer to vary or improve the remote buyer's view of the merchandise, nor does any other prior art of record. Benman, Jr. (U.S. Patent 5,784,546) does teach live imagery of a trade show, with a camera carried by a robot or remote control device, but without means for interactively moving the merchandise, and similarly with Von Kohorn (U.S. Patent 5,759,101).

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

It is noted that claims 80-87 use "means for" language. Nonetheless, they are not treated as invoking 35 U.S.C. 112, sixth paragraph. If Applicant wishes to invoke 35 U.S.C. 112, sixth paragraph, Applicant should provide an explicit statement to that effect. 35 U.S.C. 112, sixth paragraph states:

An element in a claim for a combination may be expressed as a means or step for performing a specified function without the recital of

structure, material or acts in support thereof, and such claim shall be construed to cover the corresponding structure, material, or acts described in the specification and equivalents thereof.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nicholas D. Rosen, whose telephone number is 571-272-6762. The examiner can normally be reached on 8:30 AM - 5:00 PM, M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's current acting supervisor, Yogesh Garg, can be reached at 571-272-6756. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300. Non-official/draft communications can be faxed to the examiner at 571-273-6762.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Nicholas D. Rosen
NICHOLAS D. ROSEN
PRIMARY EXAMINER

July 4, 2006

It appears that the applicant in this application is a *pro se* applicant (an inventor filing the application alone without the benefit of a Patent Attorney or Agent). Applicant may not be aware of the preferred methods of ensuring timely filing of responses to communications from the Office and may wish to consider using the Certificate of Mailing or the Certificate of Transmission procedures outlined below.

CERTIFICATE OF MAILING

To ensure that the Applicant's mailed response is considered timely filed, it is advisable to include a "certificate of mailing" on at least one page (preferably on the first page) of the response. This "certificate" should consist of the following statement:

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" on (date).

(Typed or printed name of the person signing this certificate)

(signature)

CERTIFICATE OF TRANSMISSION

Alternatively, if applicant wishes to respond by facsimile rather than by mail, another method to ensure that the Applicant's response is considered timely filed, is to include a "certificate of transmission" on at least one page (preferably on the first page) of the response. This method should be used by foreign applicants without access to the U.S. Postal Service. This "certificate" should consist of the following statement:

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office, Fax No. (703) 571-____ on (date).

(Typed or printed name of the person signing this certificate)

(signature)

These "Certificates" may appear anywhere on the page, and may be handwritten or typed. They must be signed, and the date must be the actual date on which it is mailed or transmitted. For the purpose of calculating extensions of time, the date shown on the certificate will be construed as the date on which the paper was received by the Office, regardless of the date the U.S. Postal Service actually delivers the response, or the fax is "date-stamped" in. In this way, postal or transmission delays do not affect the extension-of-time fee.

In the event that a communication is not received by the Office, applicant's submission of a copy of the previously mailed or transmitted correspondence showing the originally signed Certificate of Mailing or Transmission statement thereon, along with a statement from the person signing the statement which attests to the timely mailing or transmitting of the correspondence, would be sufficient evidence to entitle the applicant to the mailing or transmission date of the correspondence as listed on the Certificate of Mailing or Transmission, respectively.

NOTICE TO APPLICANT: In the case of lost or late responses the use of other "receipt producing" forms of mailing a correspondence to the Patent Office, such as Certified Mail, or a private shipper such as FedEx, **WILL NOT** result in the applicant getting the benefit of the mailing date on such receipts. These receipts are not considered to be acceptable evidence since there is nothing to "tie-in" the receipt with the particular document allegedly submitted.